

## MEMORANDUM

**TO:** Chairwoman McIntosh  
Members of House Environmental Matters Committee  
Chairwoman Joan Carter Conway of Senate Education, Health and  
Environmental Affairs Committee

**FROM:** Lisa Nissley

**SUBJ:** HB 1063 Environment - Noise Control Ordinances – Political  
Subdivisions

**DATE:** Feb. 27, 2009

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HB 1063 allows political subdivisions less than 10,000 to adopt noise control ordinances if they are at least as stringent as the State regulations and requires that political subdivisions larger than 10,000 adopt noise control ordinances as stringent as State requirements. These ordinances must be sent to the Department of the Environment. The subdivisions must identify the sound level limits on zoning maps and other appropriate documents.

The Department supports this bill, although it has taken no position on the crossfile SB 509, which requires all subdivisions (i.e., every municipality) to adopt a noise ordinance. The Department finds that the approach of HB 1063 is more appropriate.

Since the State noise program has been unfunded, there have been no resources to enforce the State noise standards, and citizens have been subjected to the nuisance of excessive noise without much recourse. The Department considers noise to be primarily a local enforcement issue, with State regulations providing both consistency and technical guidance and thus strongly endorses this approach.

C: Heather Barthel, MDE  
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Richard Eskin, Science Services, MDE  
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